

Message Text

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70

ORIGIN STR-08

INFO OCT-01 EA-11 ISO-00 AGR-20 CEA-02 CIAE-00 COME-00

DODE-00 EB-11 FRB-03 H-03 INR-11 INT-08 L-03 LAB-06

NSAE-00 NSC-07 PA-04 RSC-01 AID-20 CIEP-02 SS-20

TAR-02 TRSE-00 USIA-15 PRS-01 SP-03 OMB-01 SWF-02

FEA-02 MC-02 /169 R

DRAFTED BY STR:D.S.WHITNACK:SMM

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COMMERCE:W.POUNDS

EB/FTD:ADSENS

----- 121064

R 151439Z JUL 74

FM SECSTATE WASHDC

TO AMEMBASSY MANILA

UNCLAS STATE 152105

E.O. 11652:N/A

TAGS:EGEN, EFIN, ETRD, RP, US

SUBJECT: US IMPORTS UNDER TSUS 807.00 AND 806.30

REF: MANILA 8302

1. US IMPORTS FROM PHILIPPINES UTILIZING TSUS 807.00 IN 1973 TOTALED DOLS 13.9 MILLION OF WHICH DUTIABLE VALUE DOLS 8.1 MILLION AND NONDUTIABLE US COMPONENTS DOLS 5.8 MILLION. PRINCIPAL PRODUCTS GLOVES, GARMENTS INCLUDING UNDERWEAR, HEADWEAR, LACE AND NET ARTICLES, RESISTORS, TRANSISTORS AND INTEGRATED CIRCUITS, PARTS OF CAMERAS AND OFFICE MACHINES AND MISCELLANEOUS ELECTRICAL ARTICLES AND PARTS.

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2. US ALSO IMPORTED DOLS 2.9 MILLION (DOLS 2.4 MILLION DUTY FREE VALUE AND DOLS 0.5 DUTIABLE VALUE) UNDER TSUS 806.30, VIRTUALLY ALL INTEGRATED CIRCUITS AND TRANSISTORS.

3. IMPORTS UTILIZING 807.00 AND 806.30 PROVISIONS COME UNDER HUNDREDS OF TARIFF CATEGORIES. FOR DEVELOPING COUNTRIES AS A WHOLE MAJOR PRODUCTS IMPORTED UNDER 807.00 HAVE BEEN GARMENTS, INCLUDING UNDERWEAR; OFFICE MACHINES AND PARTS; TELEVISION RECEIVERS; TELEVISION APPARATUS AND PARTS; RADIO APPARATUS AND PARTS; SEMICONDUCTORS AND PARTS; ELECTRONIC MEMORIES; GLOVES; TOYS, DOLLS AND MODELS; AND JEWELRY. UNDER 806.30, MOST IMPORTANT PRODUCTS FROM DEVELOPING COUNTRIES WERE SEMICONDUCTORS AND PARTS AND MOTOR VEHICLE PARTS.

4. NO REASON IN PRINCIPLE WHY PRODUCTS LISTED PARA 3 REFTEL COULD NOT UTILIZE 807.00 PROVIDED THE US FABRICATED COMPONENTS WERE EXPORTED TO PHILIPPINES READY FOR ASSEMBLY WITHOUT FURTHER FABRICATION ABROAD AND DID NOT LOSE THEIR PHYSICAL IDENTITY IN THE ASSEMBLED ARTICLE ENTERING THE US. THE FOREIGN ASSEMBLY OPERATIONS MAY INCLUDE SEWING, GLUEING, FORCE FITTING, CRIMPING, SCREWING, NAILING, RIVETING, SOLDERING, AND WELDING; THEY ALSO MAY INVOLVE THE REMOVAL OF RUST, GREASE OR SMALL AMOUNTS OF EXCESS MATERIAL. ON THE OTHER HAND, THE PROVISION IS NOT APPLICABLE TO PRODUCTS RESULTING FROM OPERATIONS INVOLVING PRODUCTION FROM CONTINUOUS LENGTHS OR ROLLS OF MATERIAL SUCH AS FABRIC, THREAD, OR THE LIKE AND FOREIGN ASSEMBLY OPERATIONS MAY NOT INVOLVE CUTTING, EMBROIDERING, WEAVING, KNITTING, DRILLING, SHAPING, FORMING, PUNCHING, BENDING, AND GALVANIZING. ALSO EXCLUDED ARE BULK COMMODITIES SUCH AS CHEMICALS, FOOD INGREDIENTS, LIQUIDS, GASES, POWDERS, AND OTHER MATERIALS UNDERGOING A CHANGE IN FORM OR SHAPE ABROAD.

5. FOR ARTICLE OF METAL TO QUALIFY FOR ENTRY UNDER 806.30, US COMPONENT MUST HAVE BEEN EXPORTED FOR PROCESSING ABROAD AND ARTICLE AS PROCESSED OR NEW ARTICLE RESULTING FROM THE PROCESSING MUST BE FURTHER PROCESSED IN US AFTER RETURN. US CUSTOMS SERVICE HAS HELD THAT MELTING, MACHINING, GRINDING, DRILLING, TAPPING, THREADING, CUTTING, PUNCHING, UNCLASSIFIED

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ROLLING, FORMING, PLATING, AND GALVANIZING ARE AMONG OPERATIONS THAT QUALITY AS "PROCESSING."

6. WHERE PROSPECTIVE USER OF 807.00 OR 806.30 UNCERTAIN

WHETHER PRODUCT WOULD QUALIFY, HE MAY OBTAIN FROM US CUSTOMS SERVICE A BINDING OPINION ON CLASSIFICATION (BUT NOT VALUE) IN ADVANCE OF SHIPMENT. KISSINGER

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Message Attributes

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Concepts: CUSTOMS DUTIES, IMPORTS, FINANCIAL DATA
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Draft Date: 15 JUL 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
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Disposition Event:
Disposition History: n/a
Disposition Reason:
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Drafter: D.S.WHITNACK:SMM
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